IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.7490 OF 2005
IN
CRIMINAL APPEAL NO.1056 OF 2005

Chandrashekhar Shivshankar ..Applicant

Vs.

The State of Maharashtra ..Respondent

...

Mr.N.P.Deshpande for Applicant
Ms.R.M.Gadhavi A.P.P. for State

...

CORAM: A.M.KHANWILKAR,J.
DATE : DECEMBER 8, 2005

P.C.

1. In so far as this application is concerned, as the appeal is admitted and sentence is very short sentence of only six months, relief in terms of prayer clause (b) will have to be granted for prima facie case has been made out by the Appellant. Bail on same conditions as obtained during the pendency of the trial on executing fresh bonds.

2. In so far as relief in terms of prayer clause (a) is concerned, the same will have to be rejected in view of the decision of the Apex Court in the case of **State of Maharashtra Vs.Gajanan reported in 2004 Cri.L.J.919.**

3. Accordingly, this application is allowed in terms of prayer clause (b) only.

[A.M.KHANWILKAR, J.]